



US Army Corps
of Engineers®

SAN FRANCISCO DISTRICT

Regulatory Branch
1455 Market Street
San Francisco, CA 94103-1398

PUBLIC NOTICE

Project: Parkway Commerce Center Project

NUMBER: 24974S

DATE: July 20, 2007

RESPONSE REQUIRED BY: August 20, 2007

PROJECT MANAGER: Katerina Galacatos

PHONE: 415-503-6778

Email: Katerina.Galacatos@usace.army.mil

1. **INTRODUCTION:** Mr. Jim Jeary of Panattoni Development Company, 8401 Jackson Road Sacramento, California 95826, (916-379-1119), through his agent Jeff Olberding of Olberding Environmental (925-825-2111) has applied for a U.S. Army, Corps of Engineers (Corps) permit to place approximately 6,592 cubic yards of fill material into 0.79 acres of seasonal wetlands and 0.024 acres of stream channel to construct the Parkway Commerce Center. The Parkway Commerce Center Property is located between the Santa Fe Railroad and Southern Pacific Railroad tracks and directly below the Richmond Parkway overpass within the City of Richmond (Figure 1). This project was originally permitted on April 19, 2000. Project construction was initiated but not completed. Therefore, this is a re-authorization of the original permit application and it is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. § 1344). Section 404 regulates the discharge of dredged and fill material below the plane of ordinary high water in non-tidal waters of the United States and within the lateral extent of wetlands adjacent to these waters.

2. PROPOSED PROJECT:

Project Site: The Parkway Commerce Center Property is on a 23-acre site located west of Giant Road and the Santa Fe Railroad tracks, east of the Southern Pacific Railroad tracks, north of Parr Avenue and south of Morton Avenue at the terminus of Collins Way (Figure 2).

The project site is characterized by level terrain (Figure 3). Slopes are generally between 1 and 2 percent. Both the north and south sections of the property slope gradually toward Rheem Creek, which flows through the middle of the site, and from the Santa Fe Railroad tracks on the east to the Southern Pacific Railroad tracks to the west. Soils on the project site are underlain by poorly drained clay soils that are subject to ponding. The site contains several scattered, seasonal wetlands within topographical depressions. Vegetation is dominated by non-native grasses and other species typical of seasonal wetland areas. Prior site use consisted of a horse boarding facility consisting of a barn, paddocks, and associated storage buildings. The facility housed approximately 35 to 40 horses and periodically 5 to 10+ horses grazed on the property.

Rheem Creek bisects the project site as it flows west off the property toward San Pablo Bay. Past channelization projects have resulted in an engineered channel with moderately sloping banks that are denuded from over grazing or are sparsely vegetated with non-native grasses and forbs. Many areas along the channel have been lined with rock riprap. Rheem Creek does not support riparian or wetland vegetation. An access road and bridge over Rheem Creek is situated underneath the Richmond Parkway overpass on the west side of the property. Two flap gate culverts into Rheem Creek are located on the eastern toe of the Southern Pacific Railroad levee. The culverts drain water from a levee ditch.

Project Description: The proposed commercial development would include the construction of commercial and industrial building, stormwater sediment retention basins, parking lots and associated building on the 23 acre project site (Figure 4).

The applicant plans to install two stormwater outfall structures, a box culvert road crossing, dewater a section of the creek channel with cofferdams, and place bio-engineered erosion control mats below the outfalls and downstream of the box culvert on Rheem Creek. The project would also result in the placement of fill into several isolated wetlands during project site grading. These activities would require the placement of up to 6,592 cubic yards of fill material into 0.79 acres of seasonal wetlands and 0.024 acres of creek channel habitat for a total of 0.814 acres of impact.

Outfall, box culvert and erosion control installation, and site grading, would result in permanent impacts to approximately 0.77 acres of regulated seasonal wetlands and 0.023 acres of regulated waters. The proposed project would also include the placement of temporary fill material (sandbags) into 0.001 acres of jurisdictional waters to construct a temporary dewatering structure. Additionally, up to 0.02 acres of existing seasonal wetland habitat may be temporarily disturbed during grading of wetland mitigation site adjacent to Rheem Creek.

Specific project details include grading and fill activities within 0.81 acres of Corps jurisdictional wetlands/waters (Figures 5 and 6). The proposed commercial development project would allow the construction of commercial buildings, stormwater sediment/retention basins, parking lots and associated out buildings on the 23-acre Parkway Commerce Center Property site. Approximately 6,500 cubic yards of imported fill would be required to fill 0.77 acres of seasonal wetlands, raising building pads to specified elevations. The drainage plan shows the proposed commercial buildings, box culvert road crossing, outfall structure locations and the location of erosion protection mats (Figure 7). The following section describes specific impacts to

occur within the Corps jurisdiction.

Box Culvert: A permanent access road would be constructed along the eastern boundary of the project site parallel to the Santa Fe Railroad tracks. In order to gain permanent access to the southern portion of the site, a concrete box culvert will be constructed across the creek channel resulting in the placement of 25 cubic yards of fill into 0.006 acres of jurisdictional waters (Figure 8). A small portion of the creek surrounding the box culvert road crossing will require minor amounts of erosion protection. A bio-engineered concrete mat is proposed downstream of the box culvert. This material has been designed to allow vegetation growth through spaces within each block while providing erosion protection. The placement of the erosion protection mats within Corps jurisdiction would include up to 30 cubic yards of fill and would result in impacts to 0.009 acres of jurisdictional waters. The road crossing has been designed to minimize impacts to jurisdictional waters. This project would utilize a dewatering structure if water is present during construction.

Outfall: Stormwater will discharge into Rheem Creek through two outfalls (Figure 9). Both outfalls will discharge water from constructed stormwater basins located on the western edge of the site. In order to dissipate the energy of the water leaving the outfall, reducing potential erosion, up to 30 cubic yards of bio-engineered concrete mat would be used to fill 0.008 acres of jurisdictional waters for both outfalls (Figure 10).

Cofferdam: Approximately 5 cubic yards of sand bags would be utilized on a temporary basis to create a barrier across the creek channel (if water is present). This activity would result in temporary impact to 0.001 acres of Corps jurisdictional waters. Flows would be temporary routed through a metal culvert through the construction site for approximately two weeks or until the project is complete within the channel. After construction activities in the channel are completed, all material would be removed to allow the channel to conform

to the original topography.

Purpose and Need: The basic purpose of this project is to provide a commercial business park that will service the community of Richmond. The overall purpose of this project is to provide a commercial development site easily accessible from the Richmond Parkway, situated in a location that minimizes disturbance to adjacent residential neighborhoods. This proposed land use conversion is consistent with the City of Richmond's Land Use Plan as specified in the Richmond Specific Plan.

Proposed Mitigation: The mitigation site would be located on-site adjacent to the Southern Pacific Railroad tracks (Figure 11). This area contains two small wetland areas that total 0.02 acres. Minor amounts of grading will be required to remove soils from surrounding upland habitats in order to create a larger seasonal wetland area (Figure 12). While grading is not specifically required in the existing depressions, these areas may be partially impacted during earth moving activities. Both sites would be included in the final mitigation area. It is assumed that both areas will be allowed to restore naturally within the mitigation site. In addition, the applicant is proposing to undertake a native species revegetation of Rheem Creek within the project site (Figures 13 and 14).

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will

be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 1455 Market Street, San Francisco, California 94103-1398.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. The proposed project will not impact any known threatened or endangered species.

Magnuson-Stevens Fisheries Conservation and Management Act: NMFS and several interagency fisheries councils have designated specific water bodies as Essential Fish Habitat (EFH) in accordance with the Magnuson-Stevens Fisheries Conservation and Management Act. No specific EFH concerns associated with this proposal have been identified.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612 by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed

activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is not water dependent.

Coastal Zone Management Act of 1972 (CZMA): Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone Management Program, if applicable. The proposed project is not within the Coastal Zone.

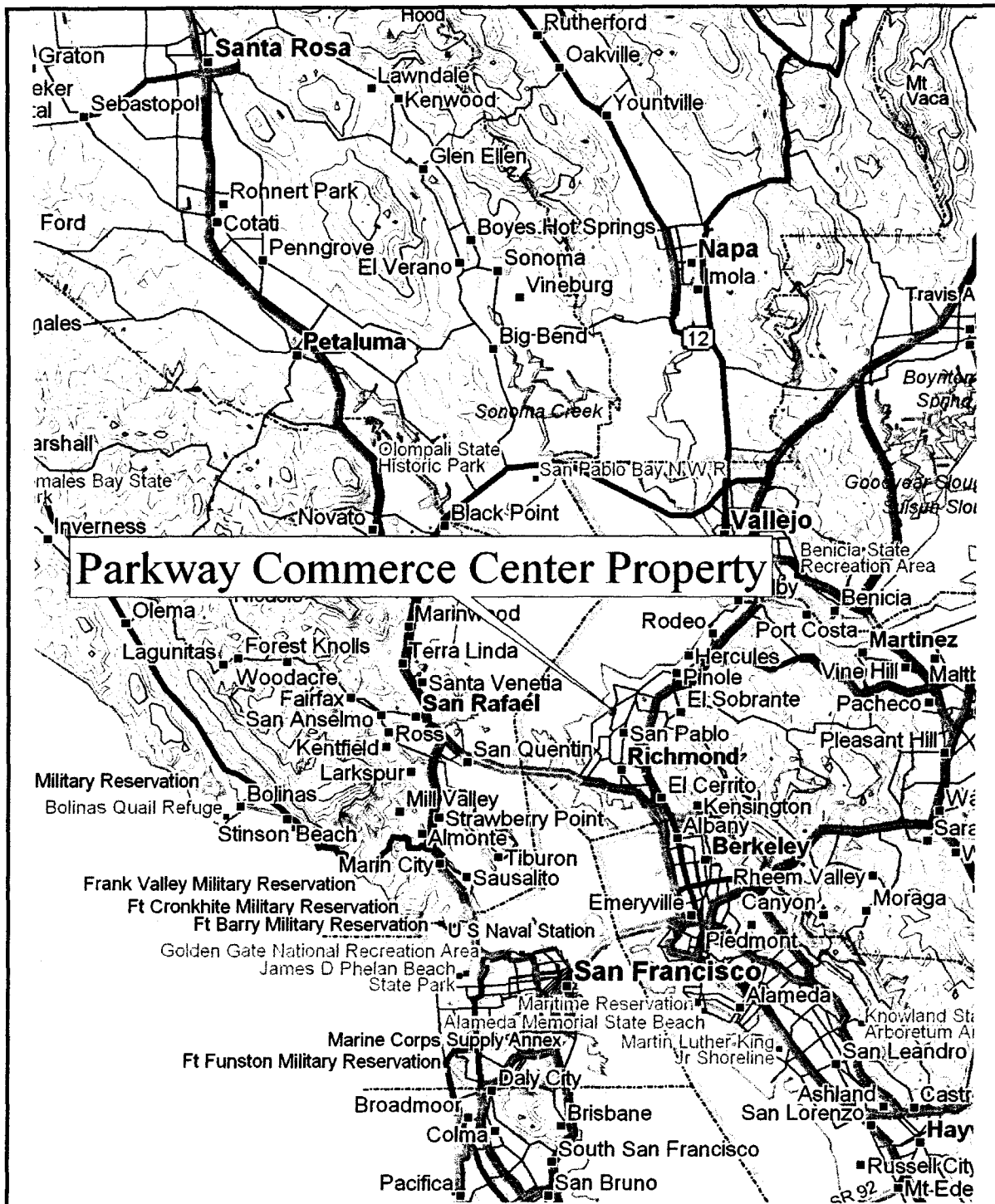
National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of

the people.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 1455 Market Street, San Francisco, California 94103-1398. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Katerina Galacatos of our office at telephone 415-503-6778 or email: Katerina.Galacatos@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.



Olberding Environmental, Inc.
 1390 Willow Pass Road, Suite 370
 Concord, CA 94520
 Phone: (925) 825-2111

This document is not to scale and is
 not intended for detail design work.

Figure 1

**Regional Map of the Parkway
 Commerce Center Property**

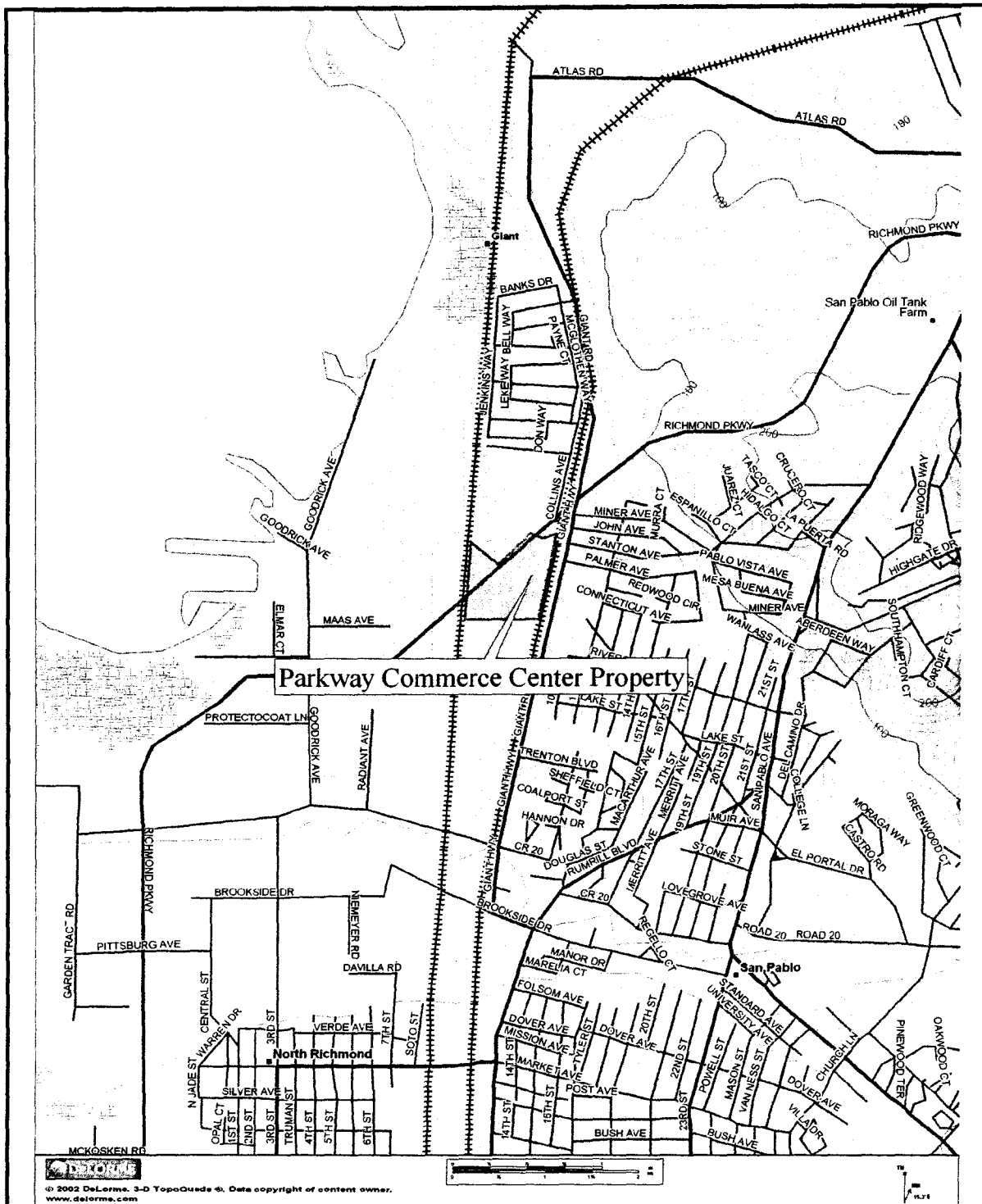
Project: Parkway Commerce
 Center

Location: Richmond, California

County: Contra Costa County

Application By: Pannattoni
 Development Company

Date: July 2007



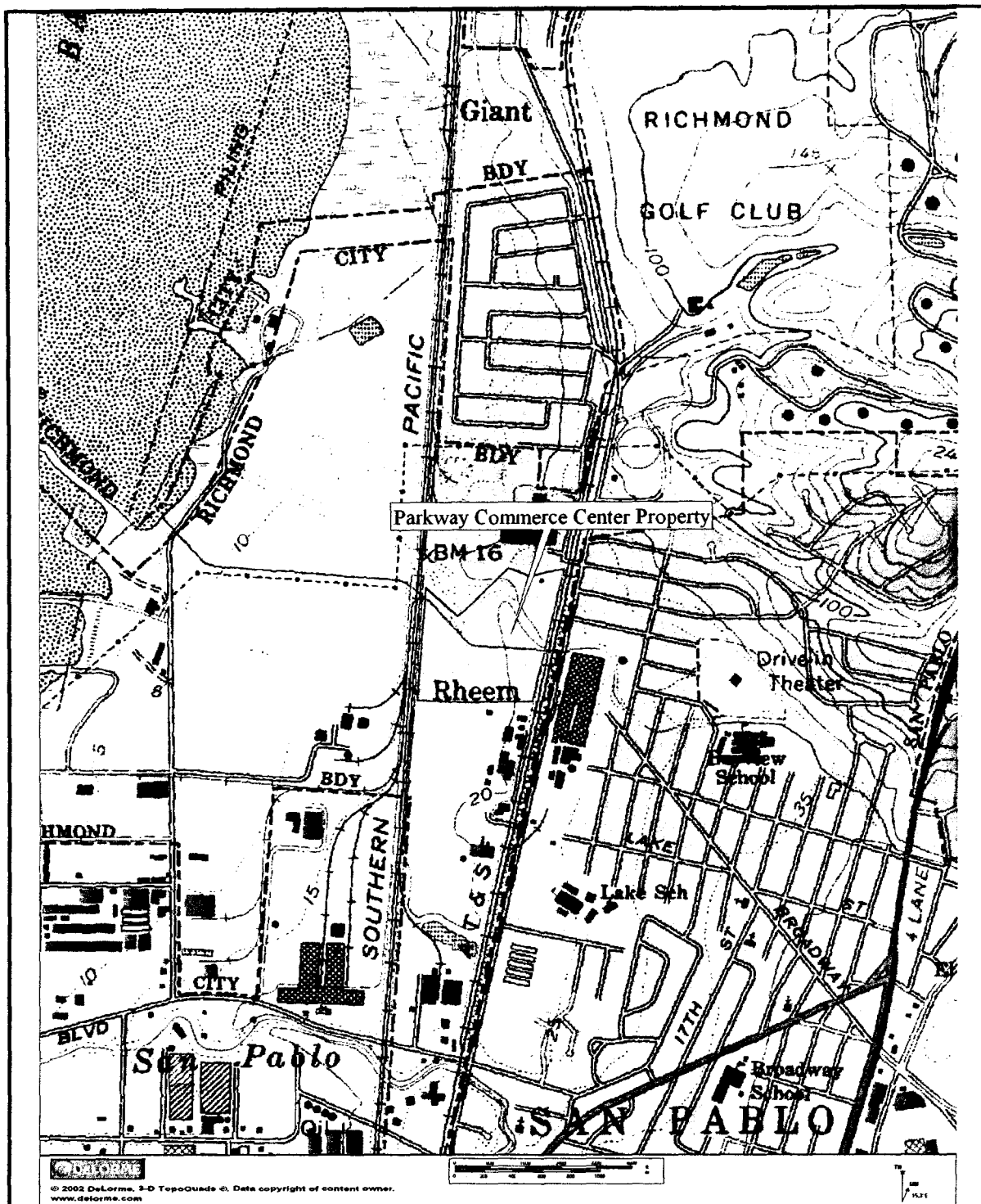
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Figure 2

**Vicinity Map of the Parkway
 Commerce Center Property**

Project: Parkway Commerce
 Center
Location: Richmond, California
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 Development Company
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Figure 3

**USGS Quadrangle Map of the
 Parkway Commerce Center
 Property**
 USGS Quadrangle Map for
 Richmond

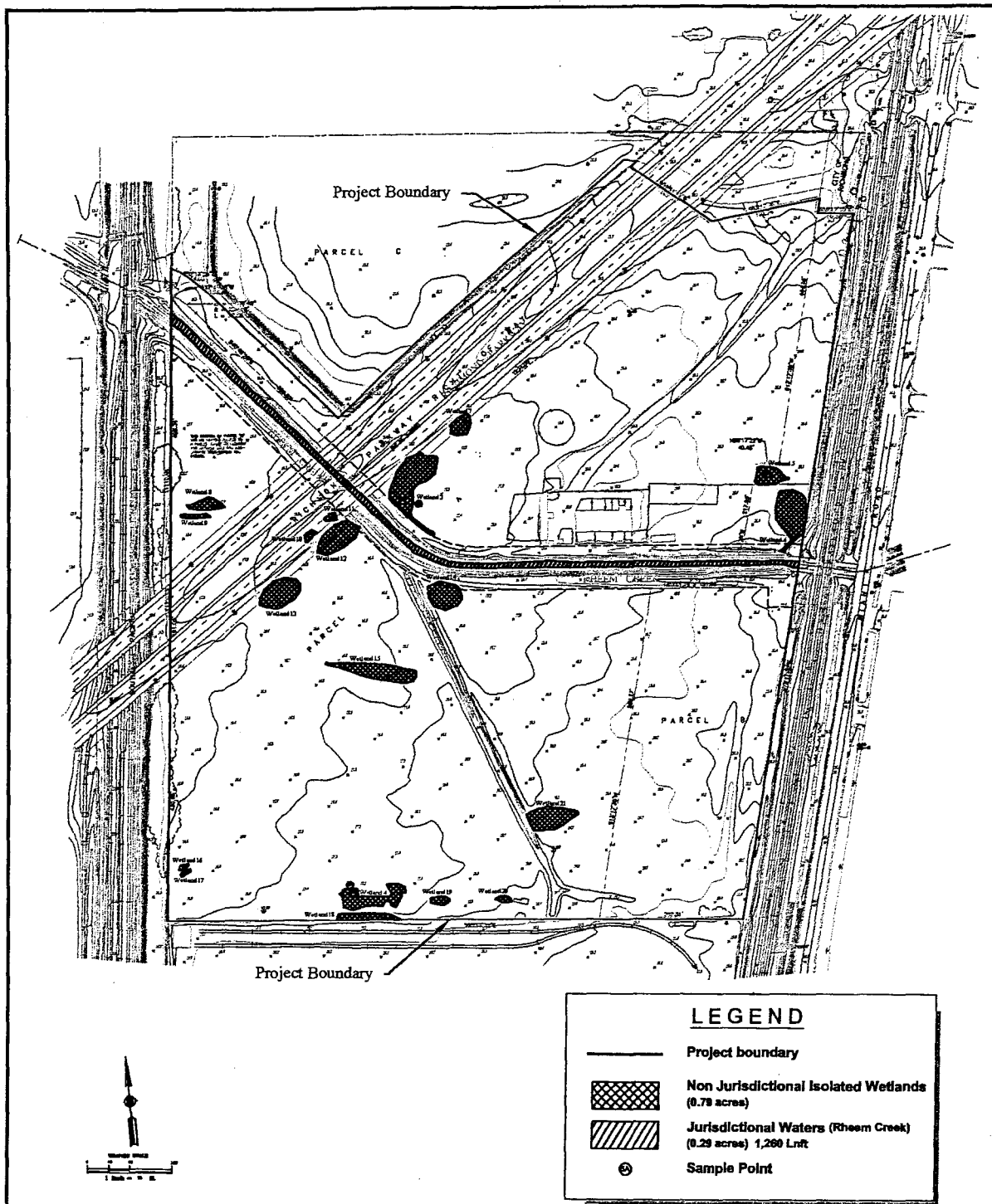
Project: Parkway Commerce
 Center

Location: Richmond, California

County: Contra Costa County

Application By: Pannattoni
 Development Company

Date: July 2007



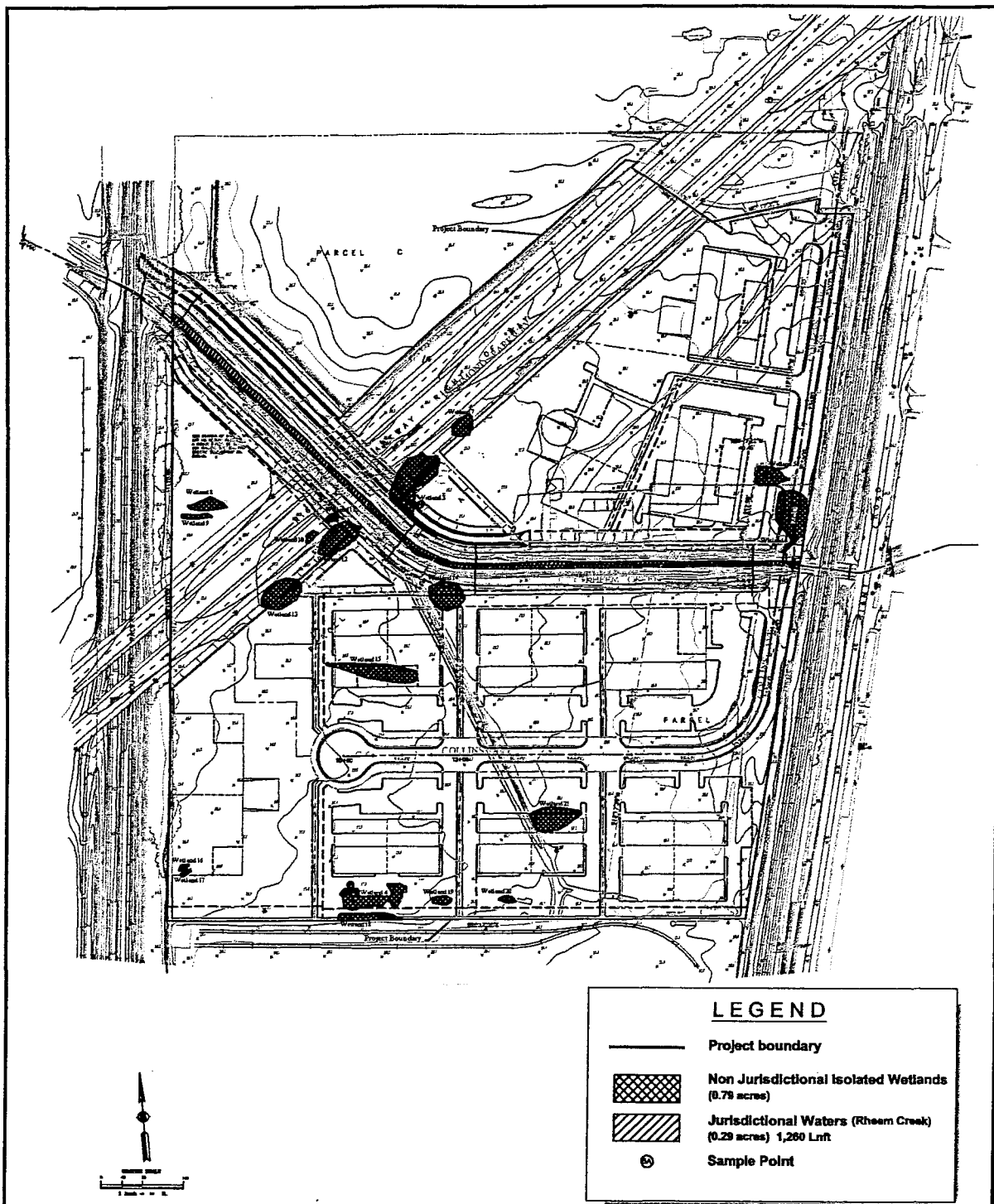
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Figure 5

Section 404 Jurisdictional Delineation Map

Project: Parkway Commerce Center
Location: Richmond, California
County: Contra Costa County
Application By: Pannattoni Development Company
Date: July 2007

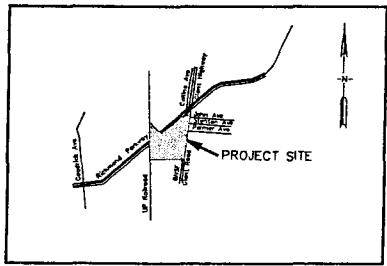
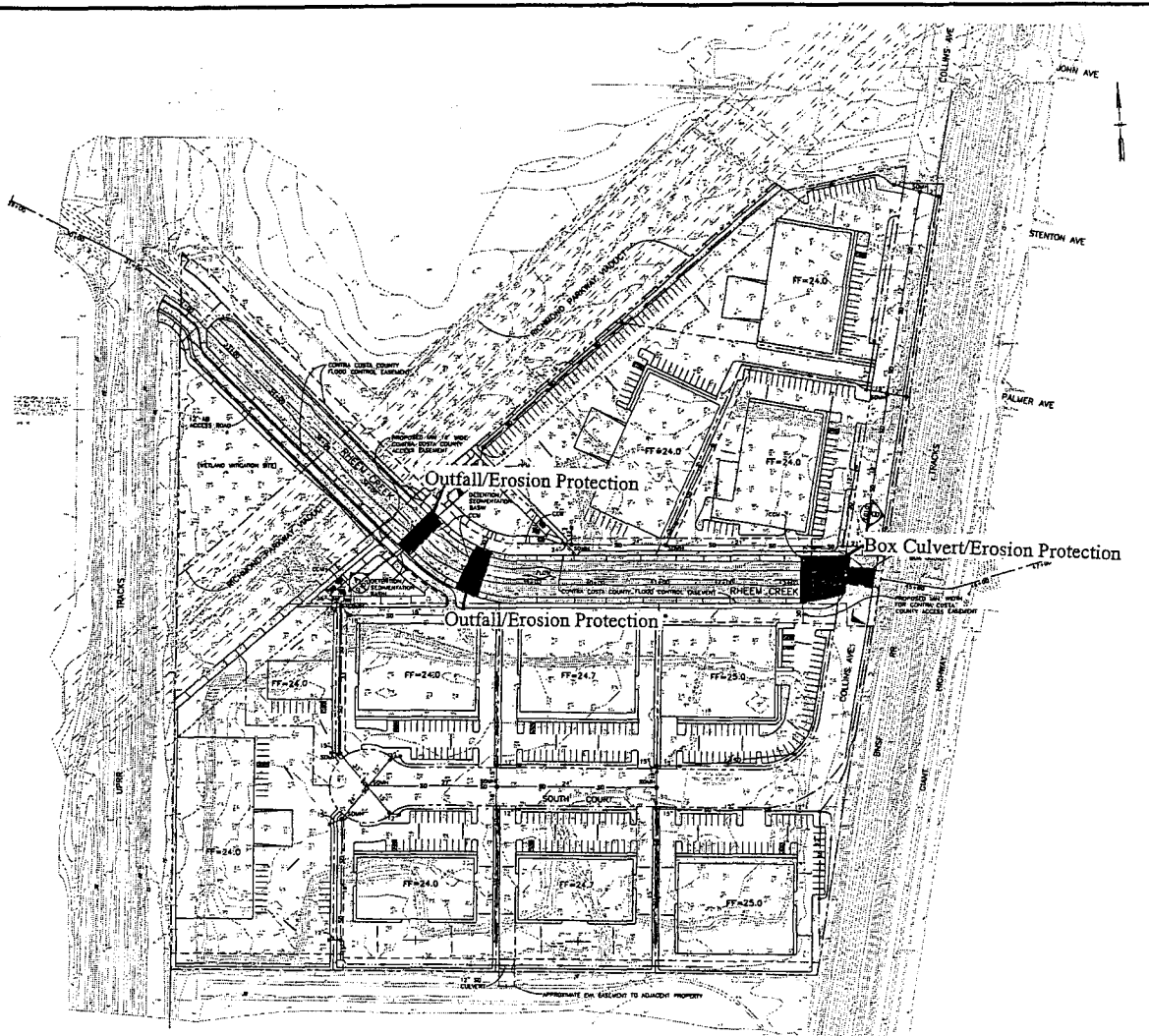


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Figure 6
Wetland Impact Map

Project: Parkway Commerce
 Center
Location: Richmond, California
County: Contra Costa County
Application By: Pannattoni
 Development Company
Date: July 2007



LOCATION MAP
NTS

- LEGEND:**
- FLOW DIRECTION
 - GRASSY SWALE
 - DRAINAGE PILEY
 - STORM DRAIN MANHOLE

- ABBREVIATIONS:**
- CCM CELLULAR CONCRETE MAT
 - FF FINISHED FLOOR ELEVATION
 - FG FINISHED GRADE
 - SD STORM DRAIN

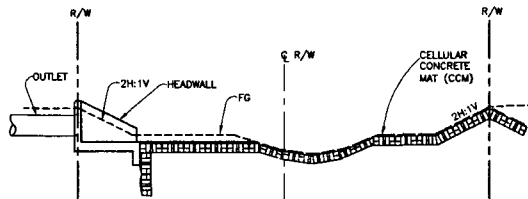


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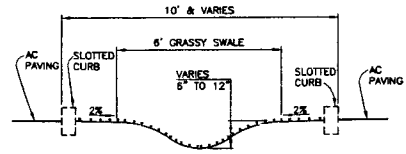
This document is not to scale and is not intended for detail design work.

Figure 7
Waters Impact Map

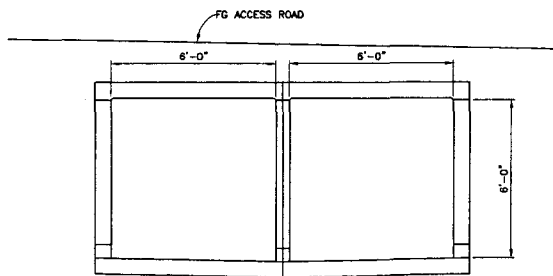
Project: Parkway Commerce Center
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TYPICAL SECTION • OUTFALL A
 SCALE: NTS
 RHEEM CREEK
 (STA 43+00 TO 33+00)
 (LOOKING DOWNSTREAM)



TYPICAL SECTION GRASSY SWALE
 1/2"=1'-0"



DOUBLE 6'x6' BOX CULVERT SECTION B
 1/2"=1'-0"

ANWEST INC.
 Consulting Engineers

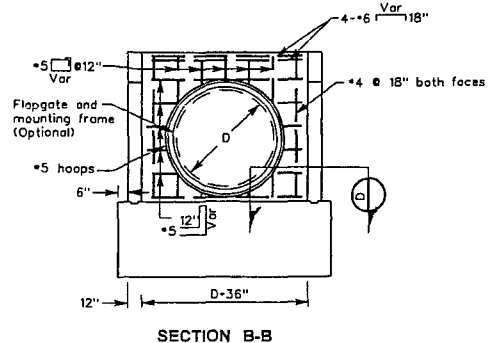
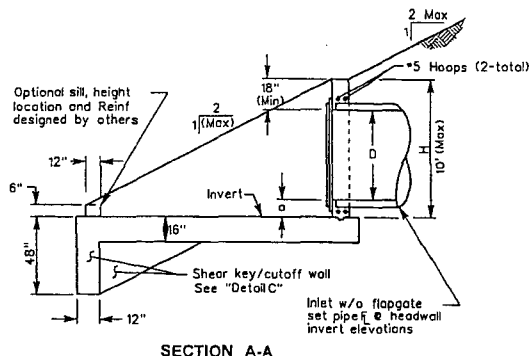
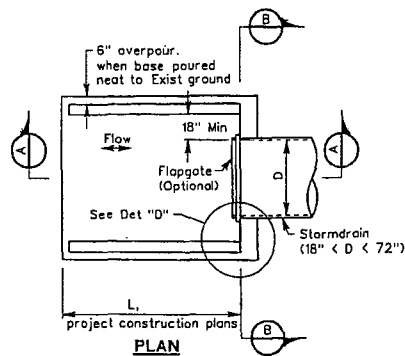
4123 Lakeside Drive
 Richmond, California 94806

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 1390 Willow Pass Road, Suite 370
 Concord, CA 94520
 Phone: (925) 825-2111

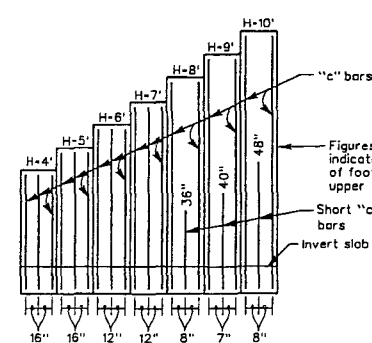
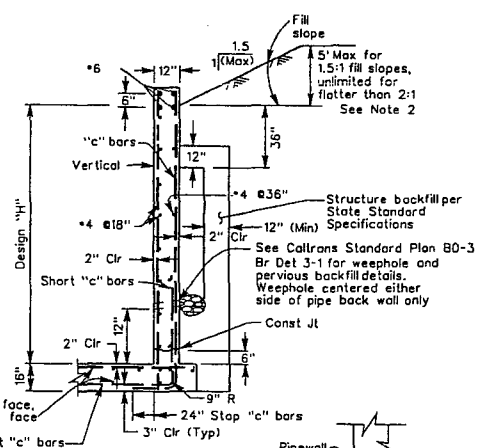
This document is not to scale and is
 not intended for detail design work.

Figure 8
Drainage Section Details

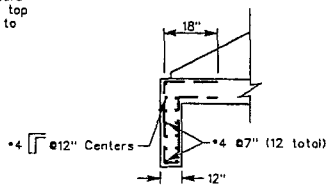
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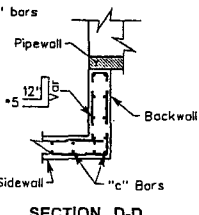
SECTION A-A



TYPICAL SECTION



DETAIL "C"

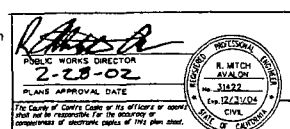


SECTION D-D

REINFORCED CONCRETE WALLS

"H" (m)	4'	5'	6'	7'	8'	9'	10'
"c" Bars	#5@16"	#5@16"	#5@12"	#5@12"	#5@8"	#5@7"	#6@8"

NOTE
Slab reinforcement not shown for clarity.



GENERAL NOTES

- USE:
- This headwall can be used in a variety of locations: channel outlet, basin outlet, and side channel outlet. This standard plan does not address the various facets unique to its planned use, e.g. these items shall be included in the specific project construction plans approved by the Public Works Department.
- Items to address include, but are not limited to:
- Safety pipe railing details for basin inlets and outlets or channel outlet, basin outlet, and side channel outlet. (The railing placed above the pipe shall be gated to allow maintenance access.)
 - Flapgate details, if required.
 - Rack slope protection (RSP) layout, type and dimensions.
 - Pipe flowline orientation, dimension "a", invert slope and top of wall elevation.
 - Finish grades behind walls. (A level area above the headwall may be needed to service trash racks or flapgates.)
 - Trash rack details, if needed.

PLAN NOTES

- Unit Stresses: 1-60,000 psi, f_c 3000 psi.
- Walls designed for 2' kneeboard surcharge, 1.5:1 sloping surcharge not to exceed 5' in elevation plus 2' kneeboard surcharge, or unlimited 2:1 surcharge.
- Dimension "H" is shown on the project or construction plans.
- Wall height may be exceeded by 6" before going to next greater "H".
- "D" maximum = 6'; "D" minimum = 18"
- a = 9" minimum for basin or creek inlet structures. For basin outlet structures, pipe flowline shall be depressed to structure invert. 5 hoops shall be placed in invert in such instances.
- Riprap type shall be determined by the Engineer of Record.

COUNTY OF CONTRA COSTA
PUBLIC WORKS DEPARTMENT
STANDARD PLAN

**TYPE "M" HEADWALL
STRUCTURE DETAILS**

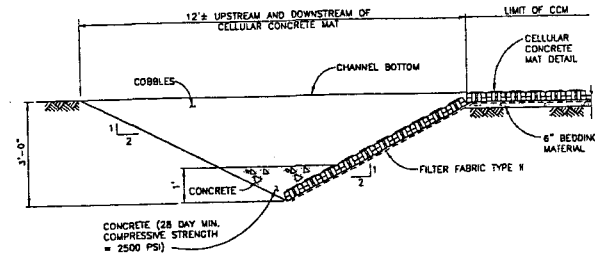
SCALE: NO SCALE DATE: 2-02
DRAWN BY: P. WARDEN PLAN NO. CD521
CHECKED BY: W. HOLMESBORTH

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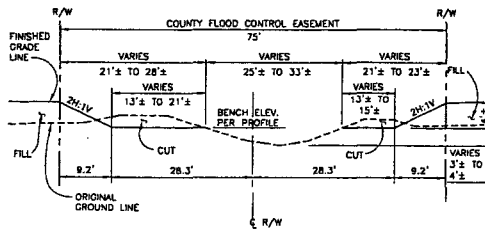
Figure 9
Outfall Details

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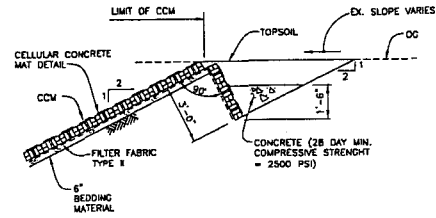
Project: Parkway Commerce Center
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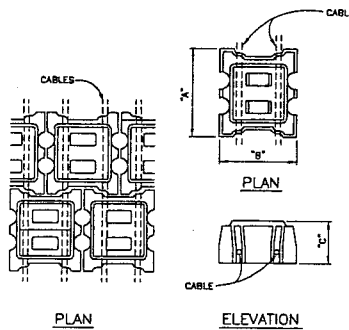
CELLULAR CONCRETE MAT SECTION A
NTS
(AT DOWNSTREAM END OF LONGITUDINAL REACH OF CCM.)



TYPICAL SECTION
SCALE: NTS
RHEEM CREEK
(STA 43+00 TO 33+00)
(LOOKING DOWNSTREAM)



CELLULAR CONCRETE MAT SECTION B
NTS
(AT TOP BANK)



TYPICAL CELLULAR CONCRETE MAT DETAIL
NTS

NOTES:

1. DIMENSIONS "A", "B" & "C" SHALL BE PER THE MANUFACTURER DESIGN BASED HYDRAULIC CRITERIA.

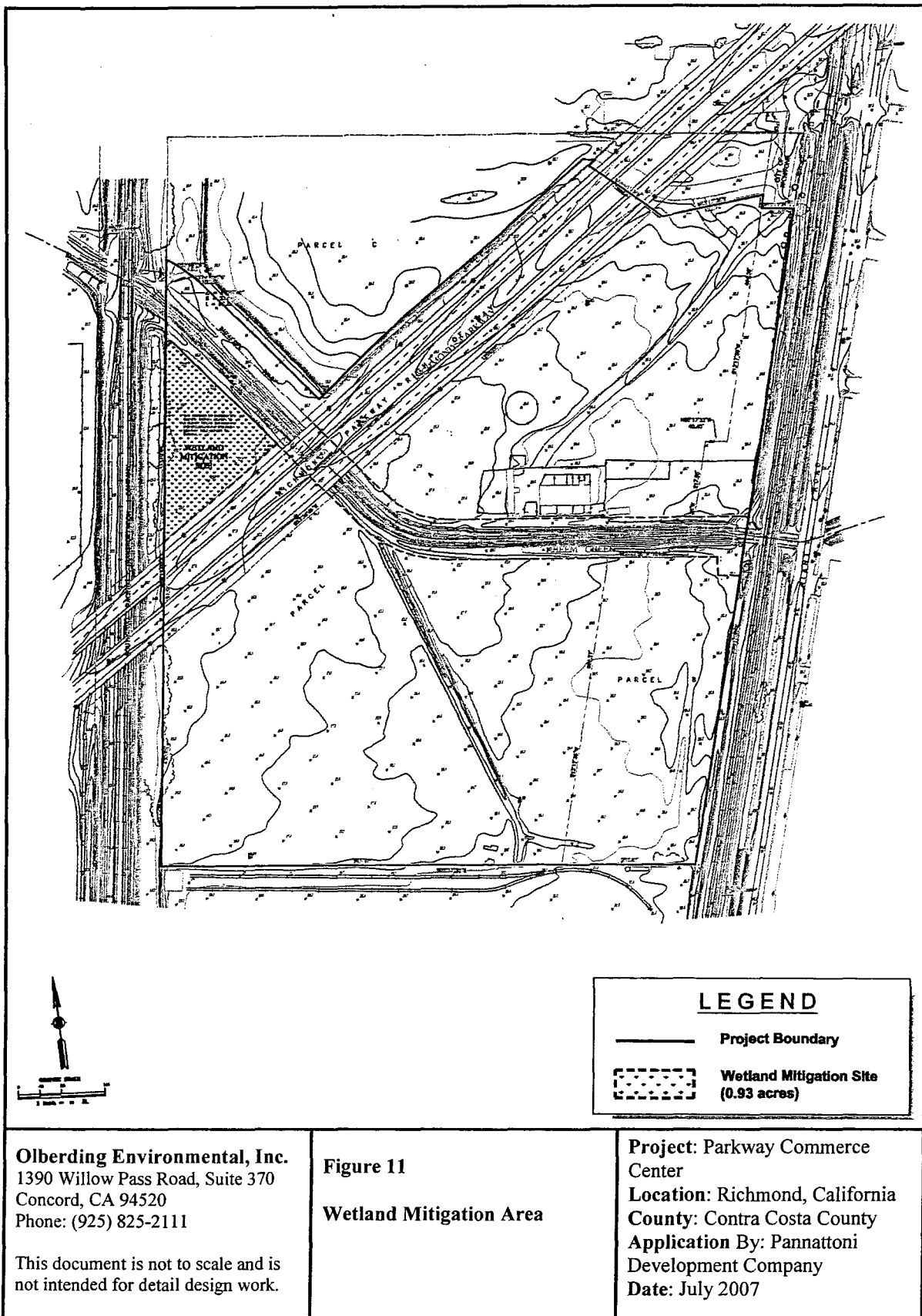
ANWEST INC.
Consulting Engineers
3095 Richmond Parkway
Suite 201
Richmond, California 94808

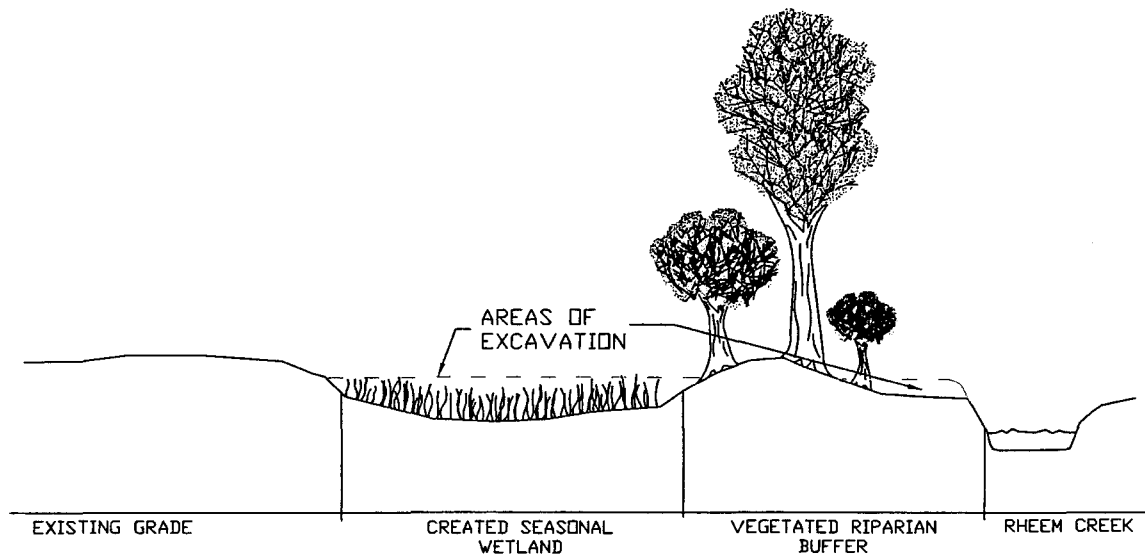
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Figure 10
Erosion Protection Details

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






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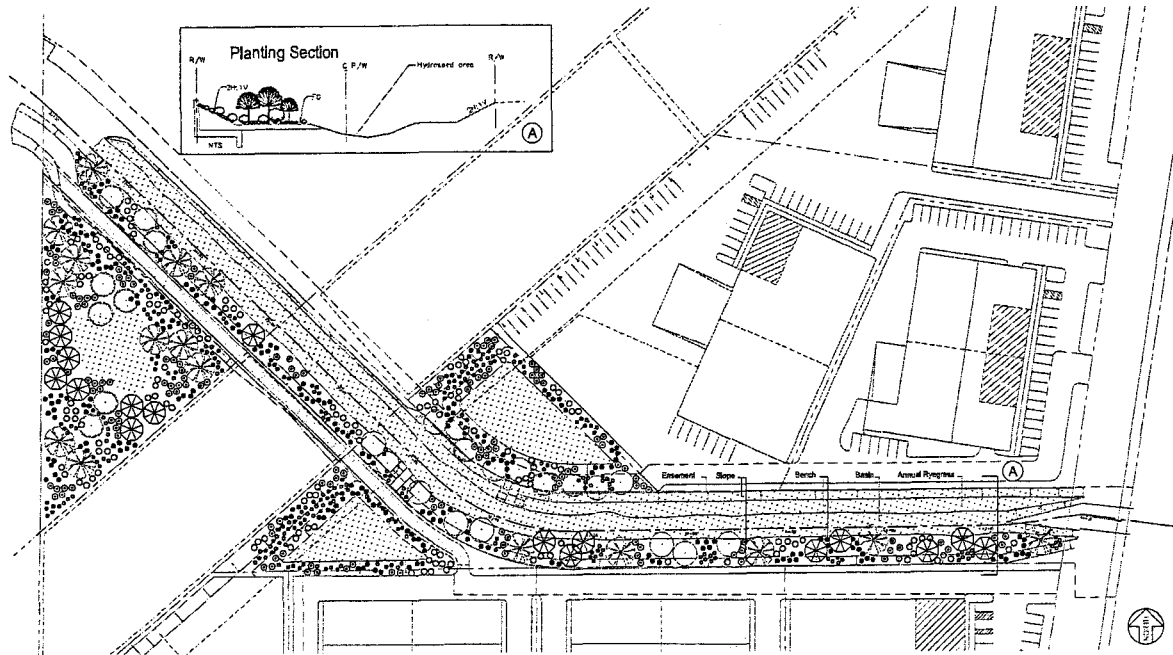
Figure 12

**Wetland Mitigation Typical
 Section**

Project: Parkway Commerce
 Center
Location: Richmond, California
County: Contra Costa County
Application By: Pannattoni
 Development Company
Date: July 2007

CREEK PLANT LEGEND

	Acer macrophyllum	Big Leaf Maple	5 Gallon	Native deciduous Tree		Ribes sanguineum	Red Flowering Currant	5 Gallon	Native Shrub
	Populus fremontii	Cottonwood	5 Gallon	Deciduous native tree		Ribes speciosum	Fuchsia Flowering Gooseberry	5 Gallon	Native Shrub
	Salix laevigata	Red Willow	Deepot	Native Wetlands Tree		Rosa californica	California Wild Rose	Low Deepot	Native Shrub
	Salix lasioandra	Western Black Willow	Deepot	Native Wetlands Tree		Sambucus caerulea	Blue Elderberry	5 Gallon	Native Shrub
						Suaeda Hydroseed	Annual Ryegrass	Hydroseed	



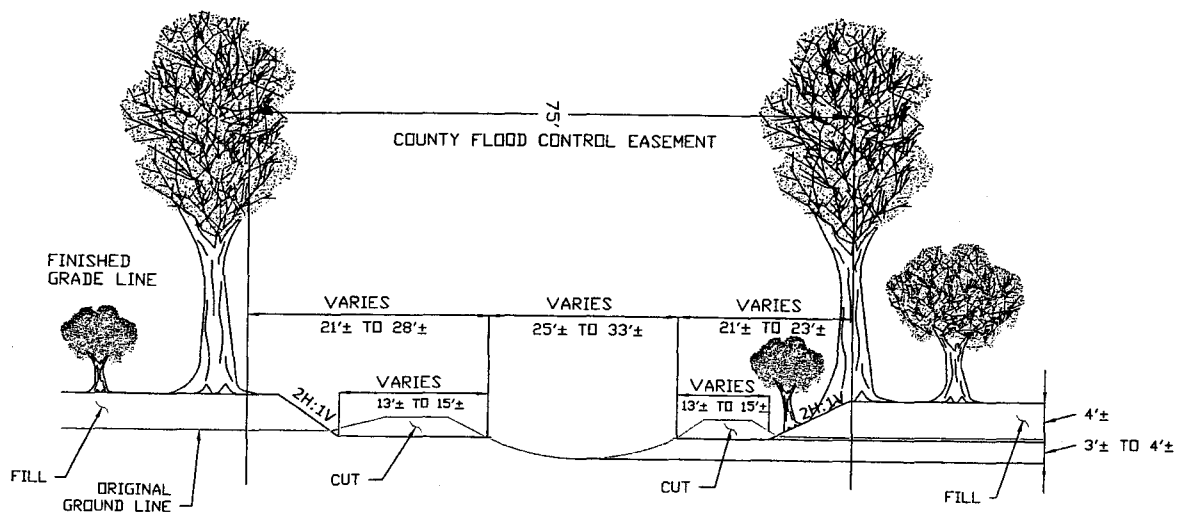
PERKINS, WILLIAMS & COTTERILL
A·R·C·H·I·T·E·C·T·S
1025 OLD PLACERVILLE RD., STE. A SACRAMENTO, CA
95811-3910 95827

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Figure 13
Creek Restoration Area

Project: Parkway Commerce Center
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Figure 14

**Creek Restoration Typical
 Detail**

Project: Parkway Commerce
 Center
Location: Richmond, California
County: Contra Costa County
Application By: Pannattoni
 Development Company
Date: July 2007